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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JACOB CHARLES FARLEY,
Plaintiff,

v.

BRITTANY BORRELLI, et al.
Defendants.

FILED

FEB 26 2020

CIVIL ACTION NO. 19-CV-5371

KATE BARKMAN, Clerk
By _____ Dep. Clerk

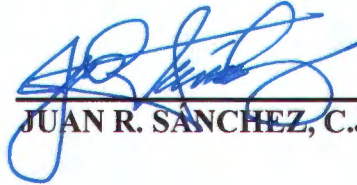
ORDER

AND NOW, this 26th day of February, 2020, upon consideration of Jacob Charles Farley's Motion to Proceed In Forma Pauperis (ECF No. 5), Prisoner Trust Fund Account Statement (ECF No. 6), and pro se Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed in forma pauperis is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Jacob Charles Farley, #15897, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of Northampton County Prison or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Farley's inmate account; or (b) the average monthly balance in Farley's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Farley's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Farley's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this Order to the Warden of Northampton County Prison.
4. The Complaint is **DEEMED** filed.
5. Farley's Complaint is **DISMISSED WITHOUT PREJUDICE**, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). The dismissal is without prejudice to Farley filing a new case only in the event his underlying conviction is reversed, vacated, or otherwise invalidated.
6. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:



JUAN R. SANCHEZ, C.J.